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SUBJECT: FRANCE TO INVOKE SAFEGUARD CLAUSE AGAINST MON 810

REF: (A) 2007 PARIS 4660; (B) 2007 PARIS 4364; (C) 2007 PARIS 4731

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Sensitive but unclassified, please protect accordingly.

SUMMARY AND BACKGROUND

11. (SBU) On the evening of January 11 the office of the Prime Minister issued a press release initiating the safeguard clause against MON 810 in France until a reevaluation of this variety occurs at the European level. The GOF justified this action by applying the precautionary principle, which is enshrined in France's constitution, based on a literature search performed by a high authority on GMOs. The president of the high authority had stated several days earlier that there were "serious doubts" about MON 810 on the basis of its inquiry. His statement was immediately refuted by 12 of the 15 scientists on the committee. This authority's review of MON 810 was precipitated by a process known as the "Grenelle of the Environment," a wide-ranging public debate promised by President Sarkozy during his election campaign. As part of this process the GOF also drafted a biotechnology coexistence law, which will be debated by the French parliament in the coming months. End Summary

12. (SBU) The component of the Grenelle process on GMOs ended with an apparent deal between the GOF and the French farmers' union, FNSEA, that a temporary freeze would be announced on MON 810 (the only biotech variety grown in France). In exchange, a new law creating a framework for biotech cultivation (as required by the EC) would be put into effect in time for this year's planting season, while an interim authority would review the safety of MON 810.

13. (U) In December 2007, the French government requested that this interim authority, divided into two groups, one of scientists, and the other of lay people including farmers, politicians and non-governmental organizations examine MON 810. Its president, a senator, also chaired the GMO working group in the Grenelle process. Concurrently, a temporary freeze was placed on MON 810.

14. (U) As the January 11 deadline for the committee's work approached the environmental lobbies, angry that the temporary freeze was set to expire on February 9, demanded that the GOF invoke

the safeguard clause and declare a moratorium against MON 810 as Min Environment had promised them. Fifteen activists, led by Jose Bove began a highly-publicized hunger strike several days ago, which they vowed to maintain until a moratorium was announced.

¶15. (U) The GOF responded to this pressure. On January 8, French President Nicolas Sarkozy said during a televised press conference that if this committee of experts raised doubts on the safety of MON 810, he would use a safeguard clause. The following day, the authority released its conclusions. Its president was widely quoted as stating that there are serious doubts about the safety of MON810, based on "a number of new scientific findings negatively impacting fauna and flora" and long-distance dissemination. Despite the fact that this proclamation was publicly disputed by 12 of the 15 scientists on the high authority as well as the president of the National Assembly, the invocation of the safeguard clause was announced on January 11.

¶16. (U) During the final days of the authority's deliberations, discussion of the government's proposed law on biotech coexistence was removed from the Senate's docket, but after strident objections from both the Senate and the president of the leading farmers' union, it was reinstated (but for a date that will delay its conclusion until after municipal elections scheduled for March.

PUBLIC REACTION AND COMMENTARY

¶17. (U) Factual reporting on the GMO issue has been steady in the national print and electronic media since the beginning of the month, but in the last week commentary has started to revolve around three themes: first, that the French government purposefully orchestrated its actions on GMOs to gain advantage in the municipal elections; second, that the Environment Grenelle meeting in October 2007 drew unprecedented attention to the issue of GMOs and sensitized the French public, and finally, concerns about the reaction of the U.S. in the event of a GMO ban in France.

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¶18. (U) Commentaries at the end of the week highlighted the tug-of-war over the GMO ban. On January 11, centrist business daily La Tribune emphasized the ire of the principal farmers' union, the FNSEA, as well as that of the grain farmers ORAMA, which claims that "serious doubts" of the Biotech Interim Committee are motivated by nothing more than political interests and were "written solely to provide the government with the necessary justification to invoke the safeguard clause" and regrets this decision for farmers, for the planting seed industry, and for the functioning of the European process.

¶19. (U) In the January 13 issue of Le Journal du Dimanche, the President of the National Assembly, Bernard Accoyer, penned an op-ed in which he wondered if France can realistically outline its future with regard to GMOs on the basis of a study that was hastily carried out. "The GMO issue is a complex one. It calls into question our very concept of progress and society... We should be careful not to make GMOs the 21st century subject of a trial for heresy."

¶10. (U) For La Tribune, "the GMOs' fate is pending" and the "moratorium on GMOs is turning into a political quarrel." Nathalie Kosciusko-Morizet, State Secretary for Ecology is quoted saying that the European Commission will likely be sensitive to the signal that France is sending to the Commission since it is questioning the appropriateness of selling Monsanto 811, Monsanto 810's little brother.

COMMENT

¶11. (SBU) The Sarkozy Administration has been trying hard to manipulate this issue for domestic political reasons. As indicated in paragraph 10, however, a strong anti-GMO faction, including the Environment Ministry and Minister of State Borloo, are also manipulating the policy with the intent of putting France in the forefront of a European anti-GMO movement, just in time for France's EU presidency. End Comment.
STAPLETON